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**From:** Chandrasekaran, Devi [Chandrasekaran.Devi@epa.gov]  
**Sent:** 3/30/2021 8:46:51 PM  
**To:** Le, Madison [Le.Madison@epa.gov]; Kaczmarek, Chris [Kaczmarek.Chris@epa.gov]; Childs, Elizabeth [childs.elizabeth@epa.gov]; Schmit, Ryan [schmit.ryan@epa.gov]  
**CC:** Passe, Loraine [Passe.Loraine@epa.gov]; Edelstein, Rebecca [Edelstein.Rebecca@epa.gov]; Lee, Virginia [Lee.Virginia@epa.gov]; Williamson, Tracy [Williamson.Tracy@epa.gov]; Fehrenbacher, Cathy [Fehrenbacher.Cathy@epa.gov]; Sadowsky, Don [Sadowsky.Don@epa.gov]; Payne, Allison [Payne.Allison@epa.gov]; Thaler, Elizabeth [thaler.elizabeth@epa.gov]  
**Subject:** RE: Letter re: EPA approval of new PFAS under TSCA  
**Attachments:** EPA response to Earthjustice PFAS letter\_DRAFT\_v1\_PTSLO.docx

Hi Madison,

Attached are our comments & edits on the draft response. Let us know if you have questions or would like to discuss anything further.

Devi Chandrasekaran  
Pesticides and Toxic Substances Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
202-564-7268

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**From:** Chandrasekaran, Devi  
**Sent:** Monday, March 29, 2021 9:45 AM  
**To:** Le, Madison <Le.Madison@epa.gov>; Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>  
**Cc:** Passe, Loraine <Passe.Loraine@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>; Sadowsky, Don <Sadowsky.Don@epa.gov>; Payne, Allison <Payne.Allison@epa.gov>; Thaler, Elizabeth <thaler.elizabeth@epa.gov>  
**Subject:** RE: Letter re: EPA approval of new PFAS under TSCA

Hi Madison,

We're taking a look at the letter and draft response and will get back to you with our comments.

Devi Chandrasekaran  
Pesticides and Toxic Substances Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
202-564-7268

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**From:** Le, Madison <Le.Madison@epa.gov>  
**Sent:** Monday, March 29, 2021 6:55 AM  
**To:** Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Chandrasekaran, Devi <Chandrasekaran.Devi@epa.gov>; Schmit, Ryan <schmit.ryan@epa.gov>  
**Cc:** Passe, Loraine <Passe.Loraine@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>; Fehrenbacher, Cathy <Fehrenbacher.Cathy@epa.gov>  
**Subject:** RE: Letter re: EPA approval of new PFAS under TSCA

Ryan and Chris/OGC,

Attach is the draft response per Tala's request (and original letter for reference). Please review and provide any suggested edits.

I'm not sure about timing on the response but Michal's email seem to indicate that we may want to signal something on EPA's policy approach for PFAS soonish.

Loraine - can you work with Ryan and OGC on next steps? Thanks.

Madison H. Le  
Division Director  
New Chemicals Division  
USEPA/OCSP/OPPT  
Direct: 202-564-5754  
Cell: 202-507-3062

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**From:** Le, Madison  
**Sent:** Friday, March 26, 2021 2:19 PM  
**To:** Kaczmarek, Chris <Kaczmarek.Chris@epa.gov>; Childs, Elizabeth <childs.elizabeth@epa.gov>; Chandrasekaran, Devi <Chandrasekaran.Devi@epa.gov>  
**Cc:** Passe, Loraine <Passe.Loraine@epa.gov>; Edelstein, Rebecca <Edelstein.Rebecca@epa.gov>; Lee, Virginia <Lee.Virginia@epa.gov>; Williamson, Tracy <Williamson.Tracy@epa.gov>  
**Subject:** FW: Letter re: EPA approval of new PFAS under TSCA  
**Importance:** High

Chris,

Please see Tala's email below (and the attached letter).

**Ex. 5 Deliberative Process (DP)**

## Ex. 5 Deliberative Process (DP)

Any thoughts? We are free today if you have a few mins to talk through this. Thanks!

Madison H. Le  
Division Director  
New Chemicals Division  
USEPA/OCSP/OPPT  
Direct: 202-564-5754  
Cell: 202-507-3062

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**From:** Henry, Tala <Henry.Tala@epa.gov>  
**Sent:** Friday, March 26, 2021 1:25 PM  
**To:** Le, Madison <Le.Madison@epa.gov>  
**Cc:** Collazo Reyes, Yvette <CollazoReyes.Yvette@epa.gov>; Freedhoff, Michal <Freedhoff.Michal@epa.gov>  
**Subject:** FW: Letter re: EPA approval of new PFAS under TSCA

Madison,

Many/most/all of the signers of the letter are litigants in the PFAS Section 21 Petition.

Please have you team prepare a Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Thank you.

Tala R. Henry, Ph.D.  
Deputy Director  
Office of Pollution Prevention & Toxics

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**From:** Jonathan Kalmuss-Katz <[jkalmusskatz@earthjustice.org](mailto:jkalmusskatz@earthjustice.org)>  
**Sent:** Friday, March 26, 2021 12:25 PM  
**To:** Freedhoff, Michal <[Freedhoff.Michal@epa.gov](mailto:Freedhoff.Michal@epa.gov)>  
**Cc:** Tyler, Tom <[Tyler.Tom@epa.gov](mailto:Tyler.Tom@epa.gov)>; Le, Madison <[Le.Madison@epa.gov](mailto:Le.Madison@epa.gov)>; Henry, Tala <[Henry.Tala@epa.gov](mailto:Henry.Tala@epa.gov)>; Collazo Reyes, Yvette <[CollazoReyes.Yvette@epa.gov](mailto:CollazoReyes.Yvette@epa.gov)>  
**Subject:** Letter re: EPA approval of new PFAS under TSCA

Dear Assistant Administrator Freedhoff:

The 18 undersigned organizations submit this letter objecting to EPA's approval of new per- and polyfluoroalkyl substances (PFAS) and new uses of previously approved PFAS, as reflected most recently in EPA's March 10, 2021 Federal Register publication of "Certain New Chemicals or Significant New Uses; Statements of Findings for January through December 2020." For the reasons set forth in the letter, we urge EPA to stop approving PFAS under TSCA Section 5 and to address the flaws in EPA's new chemical review process that have facilitated the approval of prior PFAS.

If you have any questions about the attached letter, please don't hesitate to contact me.

Respectfully submitted,

Advance Carolina  
Center for Environmental Health  
Clean Cape Fear  
Clean Haw River  
Clean and Healthy New York  
Defend Our Health  
Democracy Green  
Earthjustice  
Environmental Defense Fund  
Environmental Working Group  
GreenCAPE  
Merrimack Citizens for Clean Water  
Mothers For Safe Air & Safe Water Force  
Natural Resources Defense Council  
Safer Chemicals Healthy Families

Sierra Club  
Toxic Free North Carolina  
Union of Concerned Scientists

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Staff Attorney  
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T: 212.823.4989  
F: 212.918.1556  
Pronouns: he/him/his  
[earthjustice.org](http://earthjustice.org)

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